

REMARKS

This amendment is responsive to the Office Action dated December 19, 2006. In view of the prior restriction requirement, claims 21-51 have been withdrawn. Independent claims 1, 2-5, 7-10, 11, 12-13, 18 and 19-20 have been amended. New dependent claims 52-71 have been added. No new matter has been added.

Claims 1-24 were objected to because of various informalities. Independent claims 1, 11 and 18 have been amended as suggested by the Examiner. In particular, claims 1, 11 and 18 have been amended to recite that a copy of the particular content is received "from" the content distribution system. In view of the above amendments and remarks, applicants respectfully request withdrawal of this objection.

Claims 1-10 and 18-24 were rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential steps, such omission amounting to a gap between the steps as indicated in M.P.E.P § 2172.01. Claims 11-17 were also rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential elements, such omission amounting to a gap between the elements as indicated in M.P.E.P § 2172.01.

Applicants disagree for at least the following reasons.

A rejection for "unclaimed essential matter" is only proper when the claim "omits matter disclosed to be essential to the invention as described in the specification or in the other statements of the record." (M.P.E.P 2172.01, emphasis added) Applicants submit that there is nothing in the specification or other statements of record indicating that the subject matter identified by the Office Action is essential to the invention. Indeed, the claims are not intended to be limited to particular embodiments but, rather, cover all possible ways of performing the recited steps or

providing the required system elements. Moreover, the Office Action fails to present any evidence of record that would justify the rejection, and thus the rejection is improper. Even so, the Examiner will note that new dependent claims 52-56, 62-66 and 67-71 are directed to further features set forth in independent claims 1, 11 and 18, respectively. In view of the above amendments and remarks, applicants respectfully request withdrawal of this rejection.

Claims 1-9, 11-16 and 18-23 were rejected under 35 U.S.C. 102(b) as being anticipated by Garfinkle (U.S. Patent 5,400,402).

Claim 1 has been amended to recite:

A method for providing content to a user in an electronic content distribution system that implements a network, the method comprising:

receiving through the network an identifier for a storage medium containing particular content; and
in response to receiving the identifier through the network, sending to the user content related to the particular content from the electronic content distribution system through the network. (Emphasis added)

Applicants respectfully assert that Garfinkle fails to disclose at least the above highlighted features of amended claim 1 for at least the following reasons.

Garfinkle is directed to a system that downloads a video program from a central station to a customer's site. Referring to FIG. 1 of Garfinkle, shown is a customer site 10 connected by a data link 12 to a remote central station 14. Garfinkle mentions that a customer order is placed over "link 12 from the remote site 10 via an order entry unit 24 through which an order may be placed using a keyed-in code. The advantage of such an order entry unit 24 is that it presents a standard order format to the central station." (column 3, lines 1-7, emphasis added) In other words, a request for a video program is made via a keyed-in code. The keyed-in code

is not an identifier of a storage medium containing content. Thus, the system of Garfinkle does not receive through the network "an identifier for a storage medium containing particular content" as recited in amended claim 1 of the present application.

Therefore, for at least these reasons, applicants respectfully submit that Garfinkle does not anticipate independent claim 1. Applicants respectfully submit that independent claim 1 is in condition for allowance. Claims 2-8 depend from claim 1 and should be allowable for at least the same reasons as claim 1.

Independent claims 11 and 18 have been amended in a similar manner as independent claim 1. Thus, for at least the same reasons as independent claim 1 above, independent claims 11 and 18 should be allowable. Claims 12-16 depend from claim 11 and should be allowable for at least the same reasons as claim 11. Likewise, claims 19-23 depend from claim 18 and should be allowable for at least the same reasons as claim 18.

Claims 10, 17 and 24 were rejected under 35 U.S.C. 103(a) as being unpatentable over Garfinkle in view of Rhoades (U.S. Patent 5,051,822). Applicants respectfully traverse the rejection. Claims 10, 17 and 24 depend from claims 1, 11 and 18 respectively, contain all the limitations thereof, and are thus patentable for at least the reasons presented above.

New dependent claims 52-61, 62-66 and 67-71 dependent on independent claims 1, 11 and 18, respectively, have been added. New dependent claims 52-61, 62-66 and 67-71 should be allowable for at least the same reasons as independent claims 1, 11 and 18, respectively.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue.

If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that he/she telephone applicant's attorney at (908) 654-5000 in order to overcome any additional objections which he might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

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Respectfully submitted,

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